

# Hazardous Waste Connection

*Compliance Information for Generators in Kansas*

Spring 1999

Vol. 3, No. 1

## INSIDE

*Director's Notes* ..... 2

*P2 Nominations* ..... 2

*Hazardous Waste Workshops* ... 2

*Used Oil and the  
Mixture Rule* ..... 3

**FOCUS ON...***Things You  
Should Know About  
Waste Solvent* ..... 3

### *Hazardous Waste Connection*



*Kansas Department of Health &  
Environment*

*Prepared and Distributed by  
Bureau of Waste Management*

*Please direct inquiries and opinions to:  
KDHE – BWM  
Hazardous Waste Connection  
740 Forbes Field  
Topeka, KS 66620*

*For subscription information call:  
(785) 296-1591  
Fax (785) 296-8642  
email: shawks@kdhe.state.ks.us*

*KDHE Web Page address  
www.kdhe.state.ks.us/waste*

## *Inspections & Violations - Crisis or Challenge?*

### **A Small Business Owner's Perspective**

*By Ruben McCullers, guest author*

I woke up this morning, had a hurried breakfast and went to the office. I had a lot of things to do and not enough time to do it. I am working away when the front desk calls. An inspector from the Kansas Department of Health and Environment, is here and wants to examine my business for compliance. Maybe I should have stayed in bed...

I am very proud of the environmental program here. Although I have limited resources (both money and personnel) we try hard to comply with all the environmental programs. Have I overlooked something? Was something that was supposed to be done not done? Well, I hope this inspection goes well...

The inspector sure asks a lot of questions about the processes that generate waste streams and I don't always understand the questions. If I don't understand what information the inspector is trying to get, I wonder if it's OK to ask that the question be re-stated? Maybe then I would better understand what information is wanted...



The inspection is finally over. I have an hour before the inspector will return to my office to discuss the findings of the inspection. I know some violations were found. I have told Jim a thousand times to close that drum when not in use..... OK, what do I want out of this inspection? I not only want to know what violations were found, I want to fully understand the regulations. I also want to know what part of my management system failed, leading to the violations. To get this information, I must ask questions until I understand what went wrong. Then I can make the changes to reduce the chances these violations happen again.

Well, the inspector is gone. I did have three violations. I now better understand what requirements we must meet. The inspector also pointed out how to incorporate regulatory compliance into management of the facility. No, the inspection was not fun, but I do have more confidence in my environmental programs. By using this inspection as a learning tool, I can determine why the violations occurred. Then I can make the changes needed to minimize being cited for those violations again. I think I can even change some processes to reduce future potential violations and, maybe, even increase profits. I'm still further behind than I was this morning, but overall, it's been a very productive day...

**Do you think inspections and violations cited from an inspection are a crisis to react to OR a challenge to re-evaluate your facility's generation, handling and management practices?**



By Bill Bider

Does your company have an **environmental management system** (EMS) designed to identify and comply with all applicable environmental laws and regulations? In other words, do you have official policies, procedures, and staff responsibilities related to environmental requirements? And, are these policies and procedures incorporated into a written document with clearly demonstrated support from senior management? If not, your company should seriously consider doing so because there are many benefits associated with having an EMS.

In today's world of complex environmental regulations, businesses must devote adequate time and company resources to environmental compliance issues. A clear company policy establishing a commitment to environmental protection along with associated written procedures can help companies maintain compliance. A comprehensive environmental policy should address all applicable areas of environmental protection as well as the persons or positions responsible for implementing compliance procedures. Compliance procedures, including preventive measures such as regular internal inspections and record reviews, should also be written and distributed to all affected staff.

A good environmental management system will help keep you in compliance. It will also lessen your stress level when an inspector arrives from a regulatory agency because you will have greater confidence that environmental matters are "under control." Finally, having an EMS gives you advantages with respect to the performance of voluntary environmental audits. State law stipulates that a company with an EMS can claim that an audit report is privileged and confidential. More information on establishing an EMS will be presented in future issues of this newsletter. If you would like more guidance at this time, please contact the Bureau of Waste Management for assistance.

## We're Holding Workshops Again!

The KDHE Bureau of Waste Management will again offer free workshops for hazardous waste generators in September 1999. Two workshops are scheduled; September 15 in the greater Kansas City area and September 22 in Wichita. At each location, an afternoon session will be held to focus on the requirements for EPA Generators and Treatment, Storage and Disposal (TSD) Facilities. An evening session will also be held that focuses on the requirements for both Small Quantity and Kansas Generators.

The afternoon session will be held from 1 pm to 4:30 pm. The topics covered will include new regulations including Used Oil and Subpart CC, biennial report requirements, emergency preparedness and response, and an overview of the regulations applicable to EPA Generators. The evening session will cover the requirements for Kansas Generators and Small Quantity Generators and Used Oil requirements. A representative for the Johnson County and Wichita/Sedgwick County Household Hazardous Program will be at the workshops to discuss the HHW Programs and assistance available to Small Quantity Generators. For more information, please call (785) 296-1591.

## Nomination Time for P2 Recognition

It's time again to submit nominations for pollution prevention recognition. All Kansas businesses, industries, communities or community groups, schools, organizations and individuals are eligible to apply. If your company or business has implemented some type of program, technology or initiative to prevent pollution, this recognition belongs to you. All applications must be submitted to the Kansas Department of Health and Environment by 5:00 pm on July 1, 1999. For more information, please contact the Planning & Prevention Section at (785) 296-0669.

### Common Hazardous Waste Acronyms

EPA	<i>Environmental Protection Agency (federal program)</i>
KDHE	<i>Kansas Department of Health and Environment (state program)</i>
MSDS	<i>Material Safety Data Sheets</i>
LDR	<i>Land Disposal Restrictions</i>
DOT	<i>Department of Transportation (federal program)</i>



## Things You Should Know

By Ron Smith

Used solvents are one of the most common hazardous wastes generated across the United States. At times, KDHE identifies hazardous waste generators who are confused about how to handle their waste solvents. There are several companies providing service in Kansas that will come to the generator's facility and haul off the waste solvent for recycling, fuel blending, or disposal. The cost associated with this service may be significant; however, there are usually additional benefits gained. Disposal or recycling companies often perform analytical work and they may help with preparation of notifications, manifests or contractual agreements.

Some generators have studied ways to cut the costs of recycling or disposing of their solvent. One of the options, on-site distillation, has been around for quite a few years. Usually the cost of a distillation unit (still) can be recovered in a short period of time by the savings from not having to ship the waste solvent off-site. And the generator's liability is reduced by keeping the waste solvent on-site rather than shipping the waste out on the highways.



There are some things that you should know if you are recycling your waste solvent in an on-site still. First of all, you will need to determine if it is hazardous and identify the proper waste codes. If it is a hazardous waste, it is subject to the hazardous waste regulations even though it remains on-site. Recycled waste solvent needs to be counted in the genera-

tion rate for that business each time it is generated as a waste. The containers storing the waste solvent need to meet the applicable storage requirements while solvent is accumulated and stored prior to recycling. This includes: marking the container with the words: "Hazardous Waste" and the accumulation start date; keeping the container in good condition; and keeping the container closed. If you are an EPA Generator, you need to recycle the waste solvent within 90 days. If you are a Kansas Generator, you need to recycle often enough so that you do not accumulate over 2,200 pounds of unprocessed waste.

Another area of confusion is: "what can be done with the sludge from the still" (still bottoms)? If you are recycling a "listed" solvent, then the still bottoms will also be a listed waste and will carry the same waste codes as the

solvent. These still bottoms will have to be disposed of as a hazardous waste. It is a little more complicated if you are recycling a characteristic solvent. In this case, to determine if the still bottoms are hazardous; you will need to sample and test the waste. You will need to test for all of the constituents that may be present in the waste such as heavy metals and volatile organic compounds. If the still bottoms contain any liquid, a flash point analysis will be needed. It is possible that the still bottoms from the recycling of a characteristic solvent could be non-hazardous, however, you will need to consider the Land Disposal Restriction (LDR) regulations before the waste can be disposed in a municipal solid waste landfill.

The use of an on-site distillation unit for recycling of waste solvent has proved to be a economical and practical way of handling this waste. If this sounds like something you would like to pursue and you have additional questions, you may contact our office at (785) 296-1604 or 296-1603 or you may contact the Pollution Prevention Institute at 1-800-578-8898.

## Used Oil and the Mixture Rule

By Mary Bitney

Did you know that if you add waste solvent into your waste oil you may be inadvertently increasing the quantity of hazardous waste you generate?

Under the used oil regulations, the only mixtures that can be regulated as used oil are those where the waste solvent is not a listed solvent or does not have any hazardous waste characteristics. Some waste mineral spirits may meet this criteria. However, if the waste solvent is ignitable (flashpoint less than 140° F) OR the waste solvent is a listed waste, then the mixture is a hazardous waste. By adding the hazardous waste solvent into your used oil, even if the amount you add is very small, you have increased the quantity of hazardous waste you must properly manage. If you typically are a Kansas Generator, this could potentially make you an EPA Generator and subject you to all the additional EPA Generator regulations.

The bottom line is, it's not a good idea to add waste solvents to your used oil unless you are absolutely certain the waste solvent is not a hazardous waste. The best way to ensure the waste solvent is not hazardous is to have it tested and keep a copy of the analytical results handy in your files.

**264-21**

**ADDRESS CORRECTION REQUESTED**



***Upcoming Events***

- July, 1999** Pollution Prevention Practices for Foundries Workshop in Wichita. Contact Jean Waters at (785) 532-6501 for information on date, location and time.
- September 15, 1999** Hazardous Waste Generators Workshop in Kansas City area. Contact Shelly Hawks at (785) 296-1591 for information on location and time.
- September 22, 1999** Hazardous Waste Generators Workshop in Wichita area. Contact Shelly Hawks at (785) 296-1591 for information on location and time.
- September 29 - 30, 1999** KDHE Environmental Conference at the Wichita Marriott Hotel. Contact Janet Neff at (785) 296-0669 for information.

**☎ Important Hazardous Waste (HW) Program Phone Numbers**

**Kansas Department of Health & Environment (KDHE)**

Clyde D. Graeber, Acting Secretary ..... 785/296-0461

**KDHE - Division of Environment**

Ronald Hammerschmidt, PhD, Director ..... 785/296-1535

**KDHE - Bureau of Waste Management** ..... 785/296-1600

Bill Bider, Director ..... 785/296-1612

a. Mary Bitney, Technical Support Section Chief . 785/296-1603

b. John Mitchell, W. P. P. & O. Section Chief ..... 785/296-1608

c. Dennis Degner, PhD, Permitting Section Chief . 785/296-1601

Mostafa Kamal ..... 785/296-1609

Ron Smith ..... 785/296-1604

David Branscum ..... 785/296-6898

George McCaskill ..... 785/296-1606

Linda Prockish ..... 785/296-0005

Mark Duncan ..... 785/296-1614

Lynda Ramsey ..... 785/296-0681

**KDHE - District Office Inspectors/Engineers**

Northeast - Lawrence ..... 785/842-4600

Southeast - Chanute ..... 316/431-2390

North Central - Salina ..... 785/827-9639

South Central - Wichita ..... 316/337-6020

Northwest - Hays ..... 785/625-5663

Southwest - Dodge City ..... 316/225-0596

**EPA RCRA Hotline** ..... (800) 424-9346

KDHE Public Advocate ..... 785/296-0669  
toll free for long distance ..... (800) 357-6087

**Kansas State University (KSU)**

Pollution Prevention Institute/Small Business

Environmental Assistance Program (SBEAP) ..... 785/532-6501

SBEAP - Hot Line ..... (800) 578-8898

**University of Kansas (KU)**

SBEAP - Resource Library ..... 785/864-3968

BWM Fax ..... 785/296-8642  
email ..... shawks@kdhe.state.ks.us

**HOW MAY WE DIRECT YOUR CALL....**

EPA ID numbers ..... David Branscum

Compliance Assistance Outreach Program ..... Mary Bitney

General HW Generator questions ..... Ron Smith

Groundwater Monitoring ..... Mark Duncan

HW Complaints ..... Lynda Ramsey or Ron Smith

HW Notification questions ..... David Branscum

HW Permits ..... Mostafa Kamal

HW Regulation information .. John Mitchell or George McCaskill

HW Transporter Registration information ..... Linda Prockish

PCB, TSCA and/or CERCLA ..... George McCaskill

Newsletter Contact ..... Mary Bitney